

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/NE-MUP/233**

- Applicant** : 皓朗發展有限公司
- Site** : Lot 28 in D.D. 38, Man Uk Pin
- Site Area** : About 486m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Man Uk Pin Outline Zoning Plan (OZP) No. S/NE-MUP/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse (excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years and filling of land within “AGR” zone require planning permission from the Town Planning Board (the Board). The Site is largely vacant, fenced-off and covered with vegetation.
- 1.2 The Site is accessible via a local track leading to Sha Tau Kok Road – Wo Hang (**Plan A-2**). According to the applicant, the proposed use comprises a single-storey structure of not more than 8m in height with a floor area of not more than 220m<sup>2</sup> for warehouse use (for storage of construction materials). One parking space cum loading/unloading (L/UL) bay for light goods vehicle (LGV) (3.5m (W) x 7m (L)) will be provided at the Site. The applicant also applies for filling of land at the entire site with concrete of about 0.15m in depth for site formation. According to the applicant, traffic sign will be installed and staff will be deployed to monitor traffic conditions to ensure pedestrian safety, and prior appointment will be required for LGV serving the Site. No workshop activities will be carried out and no dangerous goods will be stored at the Site. The operation hours are between 8:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan and land filling plan submitted by the applicant are shown in **Drawings A-1** and **A-2** respectively.

1.3 In support of the application, the applicant has submitted the following documents:

- |                                                            |               |
|------------------------------------------------------------|---------------|
| (a) Application Form with attachments received on 5.5.2026 | (Appendix I)  |
| (b) Supplementary Information (SI) received on 5.5.2026    | (Appendix Ia) |
| (c) Further Information (FI) received on 29.5.2026*        | (Appendix Ib) |
| (d) FI received on 4.6.2026*                               | (Appendix Ic) |
| (e) FI received on 13.6.2026*                              | (Appendix Id) |

\* accepted and exempted from the publication and recounting requirements

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SI and FIs at **Appendices I to Id**, as summarised below:

- (a) the proposed use is not incompatible with the surrounding areas comprising warehouses and storage yards;
- (b) approval of the application on a temporary basis will not frustrate the long-term planning of the area; and
- (c) the proposed use does not involve felling of trees. Relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts will be implemented by the applicant to minimise adverse environmental impacts. No adverse environmental, traffic, drainage, landscape and visual impacts are anticipated.

## 3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

## 4. **Background**

The Site was the subject of a planning enforcement case against an unauthorized development (UD) involving filling of land. An Enforcement Notice (EN) was issued on 7.12.2018. After confirming the UD had been discontinued, a Reinstatement Notice (RN) was issued on 9.1.2019. Subsequent site inspection revealed that the land has been reinstated. The Compliance Notice for EN and RN was issued on 3.7.2020.

## 5. **Previous Application**

The Site is not the subject of any previous application.

## 6. **Similar Applications**

6.1 There are four similar applications (No. A/NE-MUP/194, 208, 218 and 227) for temporary warehouse within the “AGR” zone in the vicinity of the Site in the past five years. All of them were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board for a period of three years between 2024 and

2026 mainly on the considerations that there were no major adverse departmental comments or the departmental concerns could be addressed by implementation of approval conditions.

- 6.2 Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

## **7. The Site and Its Surrounding Areas (Plans A-1 to A-4b)**

7.1 The Site is:

- (a) largely vacant, fenced-off and covered with vegetation; and
- (b) accessible via a local track leading to Sha Tau Kok Road – Wo Hang.

7.2 The surrounding areas are of rural character comprising mainly warehouses, storage yards, logistics centres, residential dwellings and active agricultural land. A warehouse covered by an approved application (No. A/NE-MUP/218) is located to the immediate east of the Site.

## **8. Planning Intention**

8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

8.2 According to the Explanatory Statement of the OZP, as filling of land within the “AGR” zone may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

## **9. Comments from Relevant Government Departments**

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and the recommended advisory clauses are provided at **Appendices III** and **IV** respectively.

9.2 The following government departments have adverse comments on or do not support the application:

### **Land Administration**

9.2.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) he has adverse comments on the application;
- (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.

The proposed ingress/egress of the Site is required to pass through Government land (GL) but no right of access via GL is granted to the Site;

- (c) the following irregularity covered by the planning application has been detected by his office:

unauthorised structure within Lot 28 in D.D. 38 covered by the planning application

there is unauthorised structure within Lot 28 in D.D. 38. The lot owner should immediately rectify/regularise the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

- (d) if the planning application is approved, the lot owner shall apply to his office for a Short Term Waiver (STW) (on whole lot basis) to permit the structure erected and/to be erected within the said private lot. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of backdated waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (e) unless and until the unauthorised structure is duly rectified by the lot owner/applicant, his office has adverse comments on the application which must be brought to the attention of the Board when they consider the application; and
- (f) his advisory comments are at **Appendix IV**.

### Agriculture

- 9.2.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

the Site falls within the “AGR” zone and is generally abandoned. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective.

- 9.3 The following government department provides views on the application:

### Traffic

- 9.3.1 Comments of the Commissioner for Transport (C for T):

- (a) she has no comment on the application;

- (b) taking into consideration the location of the Site, the users, etc., approval condition on implementation of traffic management measures as proposed by the applicant is suggested. Also, the implemented traffic management measures should be maintained during the planning approval period; and
- (c) her advisory comments are at **Appendix IV**.

## **10. Public Comments Received During Statutory Publication Period**

On 12.5.2026, the application was published for public inspection. During the statutory public inspection period, five comments were received (**Appendix V**). Three comments from individuals object to the application mainly on the grounds that there are heavy traffic conditions and the Site has been levelled. The two remaining comments from a member of the North District Council and an individual indicate no comment on the application.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) and associated filling of land for a period of three years at the Site falling within an area zoned “AGR” on the OZP. The proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from the agricultural perspective as the Site possesses potential for agricultural rehabilitation. Nonetheless, taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 The application involves proposed filling of land for the entire Site with concrete of about 0.15m in depth for site formation. Filling of land within “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. The Chief Engineer/Mainland North of Drainage Services Department has no objection to the application from public drainage perspective, and the Director of Environmental Protection (DEP) has no comment on the proposed filling of land from environmental planning perspective subject to implementation of relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts. In this regard, the applicant advises that the relevant mitigation measures will be followed. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.3 The Site is located in an area of rural character comprising mainly warehouses, storage yards, logistics centres, residential dwellings and active agricultural land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective, and considers that the proposed use is not entirely incompatible with the surrounding environment and significant adverse landscape impact arising from the application is not anticipated.
- 11.4 Other relevant government departments consulted, including the Director of Fire Services and Chief Highway Engineer/New Territories East of Highways Department have no objection to or no adverse comment on the application. DEP also has no objection to the application from environmental planning perspective. C for T has no comment on the application and recommends imposing approval conditions on the implementation and

maintenance of traffic management measures as proposed by the applicant, taking into consideration the location of the Site, the users, etc. To address the technical requirements of other concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will also be advised to follow the environmental mitigation measures as set out in the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise any possible environmental nuisance. Regarding DLO/N, LandsD’s concern on the unauthorised structure erected within the Site, the applicant will be advised to liaise with LandsD on the land administration matter should the Committee approve the application.

- 11.5 There are four similar applications for temporary warehouse within the “AGR” zone in the vicinity of the Site approved in the past five years as mentioned in paragraph 6.1 above. Approval of the current application is in line with Committee’s previous decisions.
- 11.6 Regarding the public comments on the application as detailed in paragraph 10 above, the government departments’ comments and planning assessments above are relevant.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 26.6.2029. The following conditions of approval and advisory clauses are suggested for Members’ reference:

### Approval Conditions

- (a) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 26.12.2026;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 26.3.2027;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 26.12.2026;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 26.3.2027;
- (f) the implementation of the traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 26.3.2027;

- (g) in relation to (f) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (h) the submission of the design of vehicular run-in/out to the Site within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 26.12.2026;
- (i) in relation to (h) above, the provision of vehicular run-in/out to the Site within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 26.3.2027;
- (j) if any of the above planning condition (c) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning condition (a), (b), (d), (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials and hard-paving, and grassing of the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

#### Advisory Clauses

The recommended advisory clauses are at **Appendix IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use with associated filling of land is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**14. Attachments**

|                           |                                                        |
|---------------------------|--------------------------------------------------------|
| <b>Appendix I</b>         | Application Form with Attachments received on 5.5.2026 |
| <b>Appendix Ia</b>        | SI received on 5.5.2026                                |
| <b>Appendix Ib</b>        | FI received on 29.5.2026                               |
| <b>Appendix Ic</b>        | FI received on 4.6.2026                                |
| <b>Appendix Id</b>        | FI received on 13.6.2026                               |
| <b>Appendix II</b>        | Similar Applications                                   |
| <b>Appendix III</b>       | Government Departments' General Comments               |
| <b>Appendix IV</b>        | Recommended Advisory Clauses                           |
| <b>Appendix V</b>         | Public Comments                                        |
| <br>                      |                                                        |
| <b>Drawing A-1</b>        | Layout Plan                                            |
| <b>Drawing A-2</b>        | Land Filling Plan                                      |
| <b>Plan A-1</b>           | Location Plan                                          |
| <b>Plan A-2</b>           | Site Plan                                              |
| <b>Plan A-3</b>           | Aerial Photo                                           |
| <b>Plans A-4a to A-4b</b> | Site Photos                                            |

**PLANNING DEPARTMENT  
JUNE 2026**